

# Draft Environmental Assessment



## DAVID'S PLACE ACQUISITION

October 2008



***Montana Fish,  
Wildlife & Parks***

**David's Place Acquisition  
Draft Environmental Assessment  
MEPA, NEPA, MCA 23-1-110 CHECKLIST**

**PART I. PROPOSED ACTION DESCRIPTION**

1. **Proposed state action:** Montana Fish, Wildlife & Parks (FWP) proposes to purchase 77.6 acres of land adjacent to the Bitterroot River from the Montana Natural History Center for the price of \$96,000. The property is located along US Highway 93 approximately 3 miles south of Missoula and 3 miles north of Lolo. This proposed acquisition connects three existing FWP properties, two of which are only currently accessible from the river. The acquisition would provide land access to these properties, resulting in a larger area overall for public access totaling about 113 acres. The closest fishing access site to this property is the Chief Looking Glass FAS six miles south of Lolo.
2. **Agency authority for the proposed action:** The 1977 Montana Legislature enacted statute 87-1-605, Montana Code Annotated (MCA), which directs FWP to acquire, develop and operate a system of fishing accesses. FWP has the authority to develop outdoor recreational resources in the state per 23-2-101, MCA: *"for the purpose of conserving the scenic, historic, archaeologic, scientific, and recreational resources of the state and providing their use and enjoyment, thereby contributing to the cultural, recreational, and economic life of the people and their health."*
3. **Name of project:** David's Place Acquisition
4. **Project sponsor:**  
Montana Fish, Wildlife, & Parks  
Region 2  
3201 Spurgin Road  
Missoula, MT 59804  
406-542-5500
5. **Anticipated Timeline:**  
Public Comment Period: October 2008  
Decision Notice Published: November 2008  
FWP Commission Approval: December 2008
6. **Location:**  
Missoula County, T12N R20W Section 10. The site is 3 miles south of Missoula on Highway 93.

Figure 1:  
Approximate location of David's Place Acquisition



Figure 2: David's Place Acquisition Location

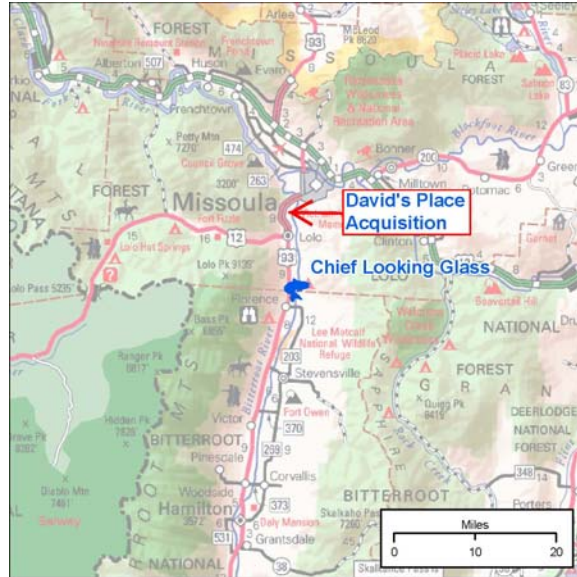
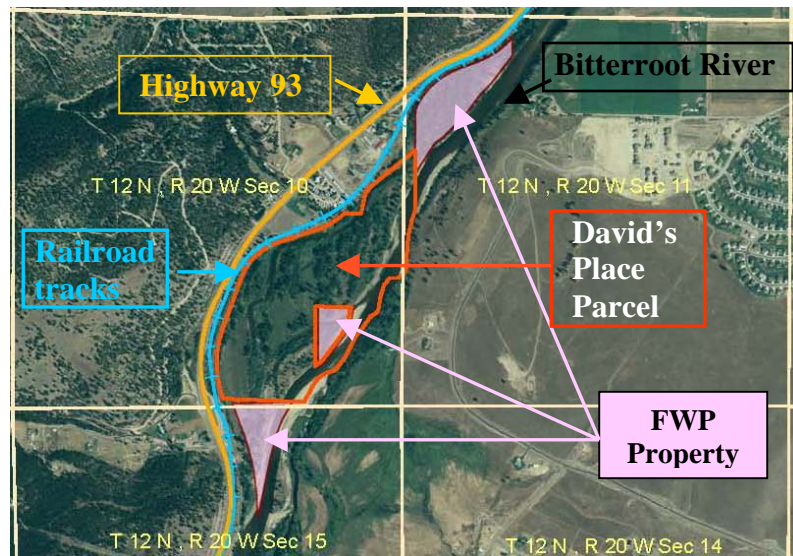


Figure 3:  
David's Place  
Acquisition  
Aerial View Map



## 7. Project size:

	<u>Acres</u>		<u>Acres</u>
(a) Developed: Residential Industrial	<u>0</u>	(d) Floodplain/Riparian	<u>77.6</u>
(b) Open Space/Woodlands/Recreation	<u>0</u>	(e) Productive:	
(c) Riparian Wetlands Areas	<u>2.5*</u>	Irrigated cropland	<u>0</u>
		Dry cropland	<u>0</u>
		Forestry	<u>0</u>
		Rangeland	<u>0</u>
		Other	<u>0</u>

\* NOTE: The National Wetlands Inventory shows the land along the river and sloughs running throughout the property as wetland and is part of the 77.60 total acres in floodplain.

**8. Local, State or Federal agencies with overlapping or additional jurisdiction:**

(a) **Permits:** None required.

(b) **Funding:** MT FWP Access Montana Account: \$ 96,000 acquisition  
MT FWP Fishing Access Program: \$ 5,000 for weed management (annual).  
Total Funding: \$101,000

(c) **Other Overlapping or Additional Jurisdictional Responsibilities:** none.

**9. Narrative summary of the proposed action:**

David's Place property is 77.6 acres along the Bitterroot River between Missoula and Lolo off of Highway 93. It is approximately 3 miles south of Missoula and 3 miles north of Lolo. This proposed acquisition will connect the currently owned FWP properties known as the Bitterroot Parcels and will provide land access to the properties. As a result, a continuous larger overall area for public access will be accessible, totaling 112.63 acres and 1.4 miles of river frontage. See Figures 2 and 3 on previous page. The property is owned by the Montana Natural History Center (MNHC), which received the property as a donation from the Maclay family in 1998. MNHC uses the site for field trips for Missoula area elementary students and visiting naturalists. Historically, the land has been used by the public to access the river for fishing, floating, hiking, wildlife viewing, trapping, waterfowl and deer archery hunting. The current owner proposes the sale of this property to FWP to ensure the natural environment of the parcel is preserved and the public's access to the property and river is maintained.

The property is being offered to FWP by the Montana Natural History Center for a purchase price of \$96,000, or \$1,237 per acre. FWP commissioned an appraiser to review real estate sales for similar floodplain properties in the Missoula area. Based on that review, FWP determined the Montana Natural History Center's asking price represents a below-market (bargain) sale, which is consistent with MNHC's intent to sell the property to FWP and ensure that it remains as open space and available for public use.

The property is accessed traveling northbound on Highway 93 and parking in an abandoned Montana Department of Transportation weigh station parking area on the east side of Highway 93. When traveling southbound on Highway 93, visitors must pass the parking area as this section of Highway 93 has a double yellow line (no passing zone), as well as a no left-turn restriction. There are several roads past the property (such as Bird Lane and Valley Grove Drive) with good site distance for vehicles to get turned back northbound on Highway 93 to access the parking area. Once parked, visitors follow the gravel route that crosses a railroad track to get to the river. FWP is working with Montana Rail Link to obtain an easement / permitted crossing.

This property consists of riparian floodplain and wetlands. The site contains several sloughs and side channels. The property is periodically inundated by floodwater. The landscape has both forested floodplain and riparian wetland vegetation and is dominated by mature cottonwoods and immature saplings, as well as several smaller stands of ponderosa pine. Throughout the site, shrubs identified include black hawthorn, various willow species, red osier dogwood, snowberry and wood rose. Plants include yarrow, Canada goldenrod and meadow rue. Some areas have abundant grasses including Kentucky bluegrass, Timothy, and Idaho fescue. In the sand and gravel bars vegetation consists primarily of grasses, sedges, and rushes including horsetails. Other forbs include field mint, forget-me-not, and nettle. There are established areas of noxious

weeds throughout the property - primarily leafy spurge, but also common tansy, spotted knapweed, hound's-tongue, Canada thistle and salsify. If acquired, FWP would begin weed management in adherence with the Statewide Integrated Noxious Weed Management Plan using chemical, biological, and mechanical methods to control weeds on the property.

The acquisition of David's Place would allow FWP to preserve this stretch of river corridor and continue river access for the public. The proposed acquisition is in a strategic location connecting existing FWP properties and would result in a larger area for public access along the Bitterroot River. The closest fishing access site upstream to this property is the Chief Looking Glass FAS, a couple miles north of Florence, Montana. Buckhouse Bridge (a state highway bridge, not a FWP site) is located on Highway 93 approximately 2 miles downstream of David's Place and is heavily used by river recreationists.

**10. Alternatives:**

**Alternative A: No Action**

If no action were taken, the property (David's Place) will likely be sold to another buyer and FWP would lose access to two existing FWP parcels known as the Bitterroot Parcels and would lose the opportunity to maintain open space. Currently, most of the Bitterroot Parcels are only accessible by river.

**Preferred Alternative B: Proposed Action**

In the preferred alternative, FWP would purchase the 77.6 acre tract of land known as David's Place for a price of \$96,000. The acquisition will connect and provide land access to three of the four existing FWP parcels known as the Bitterroot Parcels, resulting in a larger public access totaling 112.63 acres and 1.4 miles of river frontage. Two of the Bitterroot Parcels are located at the northern and southern tip of David's Place. One of the Bitterroot Parcels is located within the boundary of David's Place.

**11. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:**

There is no mitigation, stipulations, or other controls associated with the actions.

## **PART II. ENVIRONMENTAL REVIEW CHECKLIST**

Evaluation of the impacts of the **Proposed Action** including secondary and cumulative impacts on the Physical and Human Environment.

### **A. PHYSICAL ENVIRONMENT**

<b>1. <u>LAND RESOURCES</u></b> <b>Will the proposed action result in:</b>	<b>IMPACT *</b>				<b>Can Impact Be Mitigated *</b>	<b>Comment Index</b>
	<b>Unknown *</b>	<b>None</b>	<b>Minor *</b>	<b>Potentially Significant</b>		
a. **Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?		X				
c. **Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				

The proposed acquisition will have no effect on existing soil patterns or structures.

<b>2. <u>AIR</u></b> <b>Will the proposed action result in:</b>	<b>IMPACT *</b>				<b>Can Impact Be Mitigated *</b>	<b>Comment Index</b>
	<b>Unknown *</b>	<b>None</b>	<b>Minor *</b>	<b>Potentially Significant</b>		
a. **Emission of air pollutants or deterioration of ambient air quality? (Also see 13 (c).)		X				
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. ***For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regs? (Also see 2a.)		NA				

The proposed acquisition will have no effect on ambient air quality.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.



<b>3. <u>WATER</u></b>  <b>Will the proposed action result in:</b>	<b>IMPACT *</b>				<b>Can Impact Be Mitigated*</b>	<b>Comment Index</b>
	<b>Unknown *</b>	<b>None</b>	<b>Minor *</b>	<b>Potentially Significant</b>		
a. *Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. ****For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.)		NA				
m. ***For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)		NA				

The proposed acquisition will have no effect on surface water, drainage patterns, or floodwater routes.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

4. <b>VEGETATION</b>  Will the proposed action result in?	IMPACT *				Can Impact Be Mitigated*	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?		X				
b. Alteration of a plant community?		X				
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				4c.
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?		X				4e.
f. ****For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		NA				

- 4c. A search of the Montana Natural Heritage Program's (MNHP) species of concern database found no vascular or non-vascular plants of significance within the boundaries of the property to be acquired.
- 4e. This property currently has infestations of leafy spurge, common tansy, spotted knapweed, hound's tongue, Canada thistle and salsify. The proposed acquisition will not lead to the expansion of noxious weeds in the area and if the acquisition were approved, FWP would initiate the Statewide Integrated Noxious Weed Management Plan to control the noxious weeds on the property by using chemical, biological and mechanical methods. Weeds were likely historically introduced through past flood events and grazing practices. Eliminating grazing and an aggressive weed management program will facilitate the restoration of native vegetation. Motorized vehicles will be restricted to designated roads.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.



<b>** 5. FISH/WILDLIFE</b>  <b>Will the proposed action result in:</b>	<b>IMPACT *</b>				<b>Can Impact Be Mitigated *</b>	<b>Comment Index</b>
	<b>Unknown *</b>	<b>None</b>	<b>Minor *</b>	<b>Potentially Significant</b>		
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?		X				
c. Changes in the diversity or abundance of nongame species?		X				
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				5f.
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?		X				5g.
h. ****For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f.)		NA				
i. ***For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)		NA				

The proposed acquisition will have no bearing on the game and non-game species that frequent the property and is not considered critical habitat for any species, according to FWP Native Species Biologist Kristi DuBois.

- 5f. A search of the Natural Resources Information System provided by the Montana Natural Heritage Program showed that no endangered species are in the vicinity of the property. However, the property is potential habitat for westslope cutthroat trout, gray wolf, Canada lynx, wolverine, fisher, bald eagle, black-backed woodpecker, bobolink, flammulated owl, grasshopper sparrow, western skink, and a millipede. Neither the FWP native species biologist nor the fisheries biologist for the area has any concerns with the proposed project impacting wildlife in the area. No bald eagle nests have been sighted on the property, but there is an osprey nest. Great blue heron frequent the area. Significant beaver sign is present near the water. The FWP native species biologist notes the grasshopper sparrow and bobolink may pass through this parcel, but they are more likely frequenting the grassland habitat across the river from the proposed acquisition and probably are not nesting on the proposed parcel. In addition, the native species biologist considers the property to be good habitat for the American pelican, black tern, fringed myotis, great gray owl, Lewis woodpecker, northern goshawk,

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

peregrine falcon, Swainson's hawk, trumpeter swan and the western toad. She also noted it is likely habitat for black bear.

FWP Wolf Management Specialist Liz Bradley says the entire area is potential habitat for gray wolves, but this parcel is not likely habitat because of its proximity to a major highway. The gray wolf may use this parcel as a travel corridor through the Bitterroot Mountain Range, but it is unlikely they reside on the property.

Please see Appendix 2 Montana Natural History Program (MNHP) Native Species Report for more information on these species.

- 5g. The land is currently used by the public for field trips, hiking and wildlife viewing, waterfowl and archery hunting, trapping, fishing and floating. The acquisition of the property should not increase negative conditions that stress wildlife populations.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

## B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Increases in existing noise levels?		X				
b. Exposure of people to serve or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				

The proposed acquisition will have no change in noise level or electrical levels and will not interfere with radio or television reception or operation. Adjacent landowners will be notified and should not be affected.

7. <u>LAND USE</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				

The proposed action would not alter or interfere with the productivity or profitability of the existing land use. Currently the land is open to hunters and anglers. FWP would likely continue to allow such activities. The property has been used some as an outdoor classroom field trip for groups from the Montana Natural History Center (current owners) as well as being used by the general public for hiking and wildlife viewing. FWP would likely continue to allow these activities. The land is in a floodplain and wetland riparian area that may not be suitable for development, but serves as important habitat for a variety of mammal, bird and fish species.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

<b>8. <u>RISK/HEALTH HAZARDS</u></b>	<b>IMPACT *</b>				<b>Can Impact Be Mitigated *</b>	<b>Comment Index</b>
	<b>Unknown *</b>	<b>None</b>	<b>Minor *</b>	<b>Potentially Significant</b>		
<b>Will the proposed action result in:</b>						
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?			X		YES	8a.
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. ***For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		NA				

8a. If acquired, FWP will address the noxious weeds on the property. The Statewide Integrated Noxious Weed Management Plan calls for a combined method of managing weeds. The use of herbicides would be in compliance with application guidelines and applied by people trained in safe handling techniques. Weeds would also be controlled using mechanical or biological means in certain areas to reduce the risk of chemical spills or water contamination. Because of the extensive spread of invasive non-native species on the property, it will take aggressive weed management over several years to control the weeds.

<b>9. <u>COMMUNITY IMPACT</u></b>	<b>IMPACT *</b>				<b>Can Impact Be Mitigated *</b>	<b>Comment Index</b>
	<b>Unknown *</b>	<b>None</b>	<b>Minor *</b>	<b>Potentially Significant</b>		
<b>Will the proposed action result in:</b>						
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				

The acquisition will protect the open space and view shed along the river corridor while providing for additional recreation river access. The public currently recreates on the property and that opportunity will continue. Adjacent landowners will be notified of the proposed acquisition. No development is planned at this time other than to manage the weeds.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

<b>10. PUBLIC SERVICES/TAXES/UTILITIES</b>	<b>IMPACT *</b>				<b>Can Impact Be Mitigated *</b>	<b>Comment Index</b>
	<b>Unknown *</b>	<b>None</b>	<b>Minor *</b>	<b>Potentially Significant</b>		
<b>Will the proposed action result in:</b>						
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		X				
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				10b.
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				10c.
d. Will the proposed action result in increased use of any energy source?		X				
e. **Define projected revenue sources		X				
f. **Define projected maintenance costs.						10f.

10b. The current land owners are exempt from property taxes. FWP will pay property taxes in an amount equal to that of a private individual.

10c. The proposed acquisition will result in no change to existing utility power lines that run through the property.

10f. The maintenance costs for this property involve a weed management estimation of between \$4500 - \$5000 per year, for several years, with costs reducing over time as the weeds are controlled. The weed control costs would be paid from the Fishing Access Program for the first 2 or 3 years. FWP Region 2 would assume costs beyond that from its maintenance budget.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

<b>** 11. <u>AESTHETICS/RECREATION</u></b> <b>Will the proposed action result in:</b>	<b>IMPACT *</b>				<b>Can Impact Be Mitigated *</b>	<b>Comment Index</b>
	<b>Unknown *</b>	<b>None</b>	<b>Minor *</b>	<b>Potentially Significant</b>		
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. **Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report.)		X				11c.
d. ***For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c.)		NA				

11c. The public access to the area will continue if the proposed acquisition is approved and the property will continue to be a destination for field trips, hiking, wildlife viewing, floating and fishing. Waterfowl hunters, deer archery hunters and trappers will also continue to use the property. See Appendix 3 for the Department of Commerce Tourism Report.

<b>12. <u>CULTURAL/HISTORICAL RESOURCES</u></b> <b>Will the proposed action result in:</b>	<b>IMPACT *</b>				<b>Can Impact Be Mitigated *</b>	<b>Comment Index</b>
	<b>Unknown *</b>	<b>None</b>	<b>Minor *</b>	<b>Potentially Significant</b>		
a. **Destruction or alteration of any site, structure or object of prehistoric, historic, or paleontological importance?		X				
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. ****For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.)		NA				

No groundbreaking activities that could disturb cultural resources are going to be initiated as part of the proposed acquisition.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

## SIGNIFICANCE CRITERIA

13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u>  Will the proposed action, considered as a whole:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. ***For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)		X				
g. ****For P-R/D-J, list any federal or state permits required.		X				

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.



## **PART III. NARRATIVE EVALUATION AND COMMENT**

The proposed action will have no negative cumulative effects on the physical and human environments. When considered over the long-term, the proposed action poses significant positive effects towards the public's continued access of a scenic recreation area of the Bitterroot River.

The minor impacts that were identified in the previous section are small in scale and will not influence the overall environment of the immediate area. The natural environment will continue to exist to provide habitat to transient and permanent wildlife species and will continue to be open to the public for access to the river for bank fishing, floating activities, waterfowl and deer archery hunting, trapping, hiking, wildlife viewing, and field trips.

The environmental analysis focuses solely on the acquisition on the properties. If FWP were to initiate the development of the property for a developed fishing access site, a separate environmental assessment would be completed and the public would have the opportunity to comment on proposed improvements.

The proposed acquisition on the Bitterroot River would allow FWP to provide better public access for area anglers in addition to increasing other general public recreational opportunities. The proposed acquisition of 77.6 acres will connect three FWP parcels (two of which are only currently accessible from the river) for a total of 112.63 acres and 1.4 miles of river frontage.

## **PART IV. PUBLIC PARTICIPATION**

### **1. Public Involvement:**

The public will be notified by way of legal notices in the *Helena Independent Record*, the *Missoulian*, and the *Ravalli Republic*, in addition to a statewide press release. The Public Notice and the EA will also be posted on the Fish, Wildlife & Parks web page: <http://fwp.mt.gov/publicnotices>. A direct mailing will be sent to adjacent landowners and interested parties. Additionally, copies will be available at FWP Region 2 Headquarters. This level of public notice and participation is appropriate for a project of this scope having few minor impacts.

### **2. Duration of comment period.**

A 21-day comment period is proposed as appropriate for the scale of this project. The comment period will begin October 22 and extend for 21 days following publication of the first legal notice in area newspapers. Comments will be accepted until 5pm November 11, 2008. Comments should be:

Mailed to: David's Place Acquisition  
Montana Fish, Wildlife & Parks  
Region 2 HQ  
3201 Spurgin Road  
Missoula MT 59804

Emailed to: [rzarling@mt.gov](mailto:rzarling@mt.gov)

## **PART V. EA PREPARATION**

- 1. Based on the significance criteria evaluated in this EA, is an EIS required? NO  
If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.**

Based upon the above assessment, which has identified a very limited number of minor impacts from the proposed action, an EIS is not required and an environmental assessment is the appropriate level of review.

- 2. Name, title, address and phone number of the person(s) responsible for preparing the EA:**

Rory Zarling  
Region 2 FAS Manager  
3201 Spurgin Road  
Missoula MT 59804  
406-542-5500

Pam Boggs  
FWP EA Coordinator  
PO Box 200701  
Helena MT 59620-0701  
406-444-5203

- 3. List of agencies consulted during preparation of the EA:**

Montana Fish, Wildlife & Parks  
Parks Division  
Wildlife Division  
Fisheries Division  
Lands Division  
Legal Bureau

Montana Department of Commerce – Tourism

Montana Natural Heritage Program – Natural Resources Information System (NRIS)

### **Appendices**

1. HB 495 Project Qualification Checklist
2. Montana Natural Heritage Program (MNHP) Native Species Report
3. Tourism Report – Department of Commerce

**APPENDIX 1**  
**HB495**  
**PROJECT QUALIFICATION CHECKLIST**

**Date** July 31, 2008

**Person Reviewing** Pam Boggs

**Project Location:** David's Place parcel T12N, R20W, Section10 in Missoula County

**Description of Proposed Work:** Montana Fish, Wildlife & Parks proposes to acquire 77.6 acres along the Bitterroot River between Missoula and Lolo.

The following checklist is intended to be a guide for determining whether a proposed development or improvement is of enough significance to fall under HB 495 rules. (Please check all that apply and comment as necessary.)

- [ ] **A. New roadway or trail built over undisturbed land?**  
Comments: No roadways or trails.
- [ ] **B. New building construction (buildings <100 sf and vault latrines exempt)?**  
Comments: No new construction.
- [ ] **C. Any excavation of 20 c.y. or greater?**  
Comments: No excavation.
- [ ] **D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?**  
Comments: No new parking lots.
- [ ] **E. Any new shoreline alteration that exceeds a doublewide boat ramp or handicapped fishing station?**  
Comments: No shoreline alteration.
- [ ] **F. Any new construction into lakes, reservoirs, or streams?**  
Comments: No new construction.
- [ ] **G. Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?**  
Comments: No construction.
- [ ] **H. Any new above ground utility lines?**  
Comments: No new utility lines; will not interfere with existing utility lines in the area.
- [ ] **I. Any increase or decrease in campsites of 25% or more of an existing number of campsites?**  
Comments: No camping.
- [ ] **J. Proposed project significantly changes the existing features or use pattern; including effects of a series of individual projects?**  
Comments: No

If any of the above are checked, HB 495 rules apply to this proposed work and should be documented on the MEPA/HB495 CHECKLIST. Refer to MEPA/HB495 Cross Reference Summary for further assistance.

## Appendix 2

### SENSITIVE PLANTS AND ANIMALS IN THE DAVID'S PLACE AREA

#### Species of Concern Terms and Definitions

A search of the Montana Natural Heritage Program (MNHP) element occurrence database (<http://nris.mt.gov>) indicates no known occurrences of federally listed threatened, endangered, or proposed threatened or endangered plant species in the proposed project site. The search did indicate the project area is within habitat for Westslope Cutthroat Trout, Gray Wolf, Canada Lynx, Wolverine, Fisher, Bald Eagle, Black-backed Woodpecker, Bobolink, Flammulated Owl, Grasshopper Sparrow, Western Skink, and a Millipede. Please see the next page for more information on these species.

**Montana Species of Concern.** The term "**Species of Concern**" includes taxa that are at-risk or potentially at-risk due to rarity, restricted distribution, habitat loss, and/or other factors. The term also encompasses species that have a special designation by organizations or land management agencies in Montana, including: Bureau of Land Management Special Status and Watch species; U.S. Forest Service Sensitive and Watch species; U.S. Fish and Wildlife Service Threatened, Endangered and Candidate species.

#### ▼ **Status Ranks (Global and State)**

The international network of Natural Heritage Programs employs a standardized ranking system to denote global (**G** -- range-wide) and state status (**S**) (Nature Serve 2003). Species are assigned numeric ranks ranging from 1 (critically imperiled) to 5 (demonstrably secure), reflecting the relative degree to which they are "at-risk". Rank definitions are given below. A number of factors are considered in assigning ranks -- the number, size and distribution of known "occurrences" or populations, population trends (if known), habitat sensitivity, and threat. Factors in a species' life history that make it especially vulnerable are also considered (e.g., dependence on a specific pollinator).

#### **Status Ranks**

Code	Definition
<b>G1</b> <b>S1</b>	At high risk because of extremely limited and/or rapidly declining numbers, range, and/or habitat, making it highly vulnerable to global extinction or extirpation in the state.
<b>G2</b> <b>S2</b>	At risk because of very limited and/or declining numbers, range, and/or habitat, making it vulnerable to global extinction or extirpation in the state.
<b>G3</b> <b>S3</b>	Potentially at risk because of limited and/or declining numbers, range, and/or habitat, even though it may be abundant in some areas.
<b>G4</b> <b>S4</b>	Uncommon but not rare (although it may be rare in parts of its range), and usually widespread. Apparently not vulnerable in most of its range, but possibly cause for long-term concern.
<b>G5</b> <b>S5</b>	Common, widespread, and abundant (although it may be rare in parts of its range). Not vulnerable in most of its range.

## SENSITIVE PLANTS AND ANIMALS IN THE VICINITY OF THE BITTERROOT PARCEL KNOWN AS DAVID'S PLACE

### 1. *Canis lupus* (Gray Wolf)

Natural Heritage Ranks:

State: **S3**

Global: **G4**

Federal Agency Status:

U.S. Fish and Wildlife Service: **Endangered**

U.S. Forest Service: **Endangered**

U.S. Bureau of Land Management: **Special Status**

The 2006 Interagency Rocky Mountain Wolf Recovery Report notes: Total number of packs = 9 Total number of individuals = 73; Total number of breeding pairs = 31. No Element Occurrence data reported of wolves in the proximate area of this parcel.

### 2. *Ammodramus savannarum* (Grasshopper Sparrow)

Natural Heritage Ranks:

State: **S3**

Global: **G4**

Federal Agency Status:

U.S. Fish and Wildlife Service:

U.S. Forest Service:

U.S. Bureau of Land Management:

No Element Occurrence of Grasshopper Sparrow was reported in the proximate area of this parcel. Last observation date was 1993.

### 3 *Haliaeetus leucocephalus* (Bald Eagle)

Natural Heritage Ranks:

State: **S3**

Global: **G5**

Federal Agency Status:

U.S. Fish and Wildlife Service: **DM**

U.S. Forest Service: **Threatened**

U.S. Bureau of Land Management: **Special Status**

No Element Occurrence of Bald Eagle was reported in the proximate area of this parcel. Last observation date was 2007.

### 4 *Eumeces skiltonianus* (Western Skink)

Natural Heritage Ranks:

State: **S3**

Global: **G5**

Federal Agency Status:

U.S. Fish and Wildlife Service:

U.S. Forest Service:

U.S. Bureau of Land Management:

No Element Occurrence data reported of Western Skink in the proximate area of this parcel. Last observation date was 1995.

### 5 *Otus flammeolus* (Flammulated Owl)

Natural Heritage Ranks:

State: **S3B**

Global: **G4**

Federal Agency Status:

U.S. Fish and Wildlife Service:

U.S. Forest Service: **Sensitive**

U.S. Bureau of Land Management: **Sensitive**

No Element Occurrence data reported of Flammulated Owl in the proximate area of this parcel. Last observation date was 1997.

## 6. *Picoides arcticus* (Black-backed Woodpecker)

### Natural Heritage Ranks:

State: **S2**

Global: **G5**

### Federal Agency Status:

U.S. Fish and Wildlife Service:

U.S. Forest Service: **Sensitive**

U.S. Bureau of Land Management: **Sensitive**

No Element Occurrence of Black-backed Woodpecker was reported in the proximate area of this parcel. The last observation date was 2005.

## 7. *Lynx canadensis* (Canada Lynx)

### Natural Heritage Ranks:

State: **S3**

Global: **G5**

### Federal Agency Status:

U.S. Fish and Wildlife Service:

U.S. Forest Service: **Sensitive**

U.S. Bureau of Land Management: **Sensitive**

The Bitterroot Mountain Range has relatively continuous habitat for this species. The Element Occurrence shows one observation for 2000 through winter 2006-07 of Canada Lynx in the Bitterroot Mountain Range.

## 8. *Oncorhynchus clarkii lewisi* (Westslope Cutthroat Trout)

### Natural Heritage Ranks:

State: **S2**

Global: **G4T3**

### Federal Agency Status:

U.S. Fish and Wildlife Service:

U.S. Forest Service: **Sensitive**

U.S. Bureau of Land Management: **Sensitive**

No Element Occurrence data reported of Westslope Cutthroat Trout in the proximate area of this parcel.

## 9. *Dolichonyx oryzivorus* (Bobolink)

### Natural Heritage Ranks:

State: **S2B**

Global: **G5**

### Federal Agency Status:

U.S. Fish and Wildlife Service:

U.S. Forest Service:

U.S. Bureau of Land Management:

No Element Occurrence data reported of Bobolink in the proximate area of this parcel. The last observation was in 1992.

## 10. *Gulo gulo* (Wolverine)

### Natural Heritage Ranks:

State: **S3**

Global: **G4**

### Federal Agency Status:

U.S. Fish and Wildlife Service:

U.S. Forest Service: **Sensitive**

U.S. Bureau of Land Management: **Sensitive**

The Bitterroot Mountain Range has relatively continuous habitat for this species. The Element Occurrence data has 0 observations and 7 harvest records for 2000 through winter 2006-07 for the Wolverine in the Bitterroot Mountain Range.

### 11. *Martes pennanti* (Fisher)

Natural Heritage Ranks:

State: **S3**

Global: **G5**

Federal Agency Status:

U.S. Fish and Wildlife Service:

U.S. Forest Service: **Sensitive**

U.S. Bureau of Land Management: **Sensitive**

The Bitterroot Mountain Range has relatively continuous habitat for this species. The Element Occurrence data has 0 observations and 45 harvest records for 2000 through winter 2006-07 for the Fisher in the Bitterroot Mountain Range.

### 12. *Adirityla cucullata* (A Millepede)

Natural Heritage Ranks:

State: **S1S3**

Global: **G1G3**

Federal Agency Status:

U.S. Fish and Wildlife Service:

U.S. Forest Service: **Sensitive**

U.S. Bureau of Land Management: **Sensitive**

No Element Occurrence data reported of A Millepede in the proximate area of this parcel. The last observation date reported was 1965.

### 13. State Champion Tree (Rocky Mountain Juniper)

Natural Heritage Ranks:

State: **SNR**

Global: **Z**

Federal Agency Status:

U.S. Fish and Wildlife Service:

U.S. Forest Service:

U.S. Bureau of Land Management:

*Juniperus scopulorum*. Total points 121; circumference 67"; height 48'; crown spread 23' located in T13N R20W section 35.

### 14. State Champion Tree (Western Juniper)

Natural Heritage Ranks:

State: **SNR**

Global: **Z**

Federal Agency Status:

U.S. Fish and Wildlife Service:

U.S. Forest Service:

U.S. Bureau of Land Management:

*Juniperus occidentalis*. Total points 145; circumference 81"; height 56'; crown spread 33' located in T12N R20W section 3.

Information courtesy of Montana Natural Heritage Program.



## Appendix 3

# TOURISM REPORT

### MONTANA ENVIRONMENTAL POLICY ACT (MEPA) & MCA 23-1-110

The Montana Department of Fish, Wildlife and Parks has initiated the review process as mandated by MCA 23-1-110 and the Montana Environmental Policy Act in its consideration of the project described below. As part of the review process, input and comments are being solicited. Please complete the project name and project description portions and submit this form to:

Carol Crockett, Visitor Services Manager  
Travel Montana-Department of Commerce  
301 S. Park Ave.  
Helena, MT 59601

**Project Name:**

David's Place Acquisition

**Project Description:**

This parcel is located on the Bitterroot River between Missoula and Lolo just off Highway 93. The Natural History Center owns this 77.6 acre parcel and has offered to sell the property to FWP. The location is ideal for public access for floaters and anglers. This parcel connects three existing FWP properties that can only be accessed from the river. This proposed acquisition will connect the currently owned properties and provide land access to the properties, resulting a larger area overall for public access totaling 112.63 acres. The closest fishing access site to this property is the Chief Looking Glass FAS six miles past Lolo. This acquisition would allow the Department to establish a formal fishing access site to this popular stretch of river at a future time.

1. Would this site development project have an impact on the tourism economy?  
NO YES If YES, briefly describe:

Yes, as described, the project has the potential to positively impact the tourism and recreation industry economy.

2. Does this impending improvement alter the quality or quantity of recreation/tourism opportunities and settings?  
NO YES If YES, briefly describe:

Yes, as described, the project has the potential to improve the quality and quantity of tourism and recreational opportunities.

Signature Carol Crockett Date 8/5/08